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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/555,917 | 06/06/2000 | JASON STUART FLYNN | 36-1316 | 9648 |

7590 07/02/2003

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EXAMINER

AFSHAR, KAMRAN

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2681

DATE MAILED: 07/02/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

7

Office Action Summary

Application No.

09/555,917

Applicant(s)

FLYNN, JASON STUART

Examiner

Kamran Afshar, 703-305-7373

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections – 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 5-8, 11-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Astrom (U.S. Patent 6,058,303).

With respect to amended claim 1, Astrom discloses a method of routing data directed to a mobile node (6) in a communications system, comprising f: maintaining reachability information for the mobile node; receiving data directed to the mobile node; and setting a destination to which the received data is to be sent when the reachability information indicates that the mobile node is unreachable (See Title, Abstract, Co. 1, Lines 28-42, Co. 5, lines 30-49, Co. 6, Lines 1-41 & entire).

Regarding claim 5, Astrom teaches setting the data destination in accordance with a user preference (See Co. 14, Lines 32-38).

Regarding claim 6, Astrom teaches the user preference specifies the conditions in which the user specified destination is to be used (See Co. 14, Lines 32-47).

Regarding claim 7, Astrom teaches the reachability information comprises at least one destination address (See Co. 1558 – Co. 16, Line 3).

Regarding claim 8, Astrom teaches the communications system comprises an Internet Protocol (IP) based system (See 1111-1114 of Fig. 11 & Co. 15, Lines 29-50).

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With respect to claim 11, Astrom discloses a mobile communications system comprising: a mobile node; means for maintaining reachability information for the mobile node; means for receiving messages directed to the mobile node; and a service controller configured to set a destination for a message directed to the mobile node when the reachability information indicates that the mobile node is unreachable (See Title, Abstract, Co. 1, Lines 28-42, Co. 5, lines 30-49, Co. 6, Lines 1-41 & entire).

With respect to claim 12, Astrom discloses method of routing data directed to a mobile host which is away from its home network (See Co. 13, Line 59 – Co. 14, Line 15 & Fig. 9) maintaining a record of locations through which the data can be routed to the mobile host, and in the event that the data cannot be routed to the mobile host through any of the locations specified in the record, then routing the data to an alternative destination from which it is available for subsequent retrieval to the mobile host (See Co. 15, Line 58 to Co. 16, Line 18 & entire).

Regarding claim 13, Astrom discloses storing the data at alternative destination until the mobile host becomes available (See Co. 5, Lines 29-49, Co. 16 Lines 4-7).

Claim Rejections - 35 USC § 103

3. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Astrom (U.S. Patent 6,058,303) in view of Kulkarin (U.S. Patent 5,862,481).

With respect to claim 2, Astrom disclosed everything as discussed above in claim 1, However, Astrom did not explicitly teach proxy node. Kulkarin clearly teaches proxy node (See Abstract, Co. 5, Lines 15-23). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Kulkarin to Astrom to reduce storage

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requirements and simplifies data integrity requirements as suggested by Kulkarin (See Co. 3, Lines 25-26).

Regarding claim 3, Astrom teaches the storing the data until the mobile node becomes available (See Co. 5, Lines 29-49).

Regarding claim 4, Astrom teaches instruction to send received data to the mobile node when the reachability information indicates that the mobile node has become reachable (See Co. 5, Lines 29-49).

4. Claim 9-10, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Astrom (U.S. Patent 6,058,303) in view of Malkin (U.S. Patent 6,061,650).

With respect to claim 10, Astrom disclosed everything as discussed above in claim 1. However, Astrom did not explicitly teach the destination address is a care-of address for the mobile node. Malkin clearly teach the destination address is a care-of address for the mobile node (See Title, Abstract, Co. 5, Line 54 – Co. 6, Line 45. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Malkin to Astrom to obtain a care-of address on the foreign network as suggested by Malkin (See Co. 6, Lines 25-26).

Regarding claim 9, Malkin teaches reachability information is maintained by a home agent router (See Co. 5, Line 65 – Co. 6 Line 30).

With respect to claim 14, Astrom discloses a mobile communications system comprising: a mobile host movable between its home network and a plurality of connected communications networks; when the mobile host is away from its home network; and a service controller configured to intervene so as to send the data to an alternative location, when the data cannot be

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sent to the mobile host (See Co. 15, Line 58 to Co. 16, Line 18 & entire). However, Astrom did not explicitly teach a router configured to route data intended for the mobile host to a location through which the data can be sent to the mobile host. Malkin teaches a router configured to route data intended for the mobile host to a location through which the data can be sent to the mobile host (See Co. 5, Line 65 – Co. 6, Line 4 & entire). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Malkin to Astrom to provide a router on a mobile's node home network which tunnels packet to mobile node when mobile is detached from home network as suggested by Malkin (See Co. 5, Lines 65-67).


Conclusion


5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (703) 305-7373. The examiner can be reached on Monday-Friday.

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If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached @ (703) 305-4778. The fax number for the organization where this application or proceeding is assigned is (703) 872-9314 for all communications.


Kamran Afshar


4/30/2003

NGUYENT.VO
PRIMARY EXAMINER